

REMARKS/ARGUMENTS

Claims 1-17 remain pending in the application, as claim 18 was previously canceled without prejudice. In the Office Action, claims 1-3, 17 and 18 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0264413 to Kaidar, et al. (Kaidar). Claims 4-16 were allowed.

Independent claim 1 has been amended to clarify that the probe requests transmitted from the second station to the access point are based on the timing of probe requests initially transmitted from the first station to the access point. Independent claim 17 has been similarly amended. Support for the amendments can be found in paragraphs 0022 and 0029 of the application. No new matter has been added in view of the amendments. Applicants submit that neither Kaidar nor the scenario described in the “Response to Arguments” section on page 2 of the Office Action of November 28, 2007 teach such a limitation.

In view of the above, Applicants submit that the above claims are now patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: February 29, 2008

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